

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

New Rules

■ DOT PROCUREMENT

The CHIEF PROCUREMENT OFFICER FOR THE DEPARTMENT OF TRANSPORTATION (CPO-DOT) adopted amendments to the Part titled Chief Procurement Officer for the Department of Transportation-Standard Procurement (44 IAC 6; 39 Ill Reg 15040), effective 4/7/16, clarifying and updating various provisions related to DOT contracting and bidding. The rulemaking defines "satisfactory evidence of compliance" as a bidder's certification or other assurance of compliance with the Procurement Code in the contract bid proposal; clarifies that contract selection for professional and artistic services is governed by the rules of the Chief Procurement Officer-General Services but overseen by CPO-DOT; adds statutory language from the Procurement Code

concerning inflation adjustments to the small purchase maximum; and clarifies certain bidding procedures. The rulemaking also updates website links and makes the Part more consistent with the Code and current practice. Since 1st Notice, the small purchase threshold for projects not requiring competitive bidding has been changed to \$100,000 for construction contracts and \$80,000 for supplies and services contracts (both amounts will be adjusted annually for inflation). Also, provisions explaining the determination of small purchase status have been added. Businesses seeking DOT contracts or prequalification to bid on DOT contracts are affected by this rulemaking.

Questions/requests for copies: Bill Grunloh, CPO-DOT, 2300 S. Dirksen Pkwy., Springfield IL 62764, 217/558-5434.

Proposed Rulemakings

■ INCOME TAX

The DEPARTMENT OF REVENUE proposed an amendment to Income Tax (86 Ill Adm Code 100; 40 Ill Reg 6676) that limits the automatic 6-month filing extension (7 months for corporations) to taxpayers whose returns are due by the 15th day of the 4th month after the end of the taxable year. Additional extensions are in accord with IRS rules. Any income tax payer may be affected.

Questions/requests for copies/comments through 6/5/16: Brian Stocker, DOR, 101 W. Jefferson St, Springfield IL 62796, 217/ 782-2844.

■ ENTERPRISE ZONES

The DEPARTMENT OF COMMERCE AND ECONOMIC

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NEW RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.

PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.

PEREMPTORY RULES: Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

■ Designates rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.

RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

Proposed Rulemakings

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OPPORTUNITY proposed amendments to Enterprise Zones and High Impact Business Programs (14 Ill Adm Code 520; 40 Ill Reg 6627). The amendments make technical revisions to more accurately reflect scoring of Enterprise Zone applications; allow successfully reapplied zones that expired or terminated solely by operation of law to continue to be eligible for exemptions for up to 5 years; and prescribes provisions for application/compliance for enterprise zone benefits as a certified aircraft maintenance facility.

Questions/requests for copies/ comments through 6/6/16: Jolene Clarke, DCEO, 500 E. Monroe, Springfield IL 62701, 217/557-1820, jolene.clarke@illinois.gov

■ HAZARDOUS MATERIALS

The OFFICE OF THE STATE FIRE MARSHAL proposed amendments to Hazardous Materials

Emergency Response Reimbursement (41 IAC 270; 40 Ill Reg 6661). The rulemaking transfers authority for reviewing reimbursements to the Fire Advisory Commission, transfers current and future money into the Fire Prevention Fund, and clarifies that the authority with jurisdiction over the location of the emergency response action has authority to request reimbursement of eligible costs. Other provisions lower to 2% the percentage of the local emergency response agency's total budget that a hazardous materials response action must cost in order to be eligible for reimbursement, and overhaul the review process so that OSFM can either accept or overrule the Fire Advisory Commission's recommendation for reimbursement. The State Fire Marshal's action will be considered the agency's final administrative decision. Units of local government, including small municipalities and fire protection districts, will be affected by this rulemaking.

Questions/requests for copies/ comments through 6/6/16: Deborah Williams, OSFM, 1035 Stevenson Dr. Springfield IL 62703-4259.

DOI RULE CORRECTION

The DEPARTMENT OF INSURANCE issued a Notice of Correction for a proposed amendment to Accident and Health Reserves (50 IAC 2004; 40 Ill Reg 5802) that appeared in the 4/8/16 *Illinois Register*. The amendment provides that policies issued and claims incurred on or after 12/31/15 are subject to the standards prescribed in the March 2016 (updated from March 2015) Accounting Practices and Procedures Manual (APPM). As originally published, the rulemaking erroneously changed the effective date for enforcement of the APPM standards instead of updating the applicable edition of the APPM.

Second Notices

The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the Committee's May 10, 2016 meeting. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

DEPT OF NATURAL RESOURCES

Operations of Watercraft Carrying Passengers for Hire on Illinois Waters (17 IAC 2080; 40 Ill Reg 3161) proposed 2/19/16

IL STUDENT ASSISTANCE COMMISSION

Grant Program for Medical Assistants in Training (23 IAC 2742; 40 Ill Reg 2195) proposed 1/29/16